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JAN 24 2005

TECHNOLOGY CENTER 3500

ADE & Company
1700-360 Main Street
Winnipeg, MB R3C3Z3
Canada

In re Application of
Douglas A. Staley et al
Application No. 09/905,179
Filed: January 23 2001
For: SYSTEM AND METHOD FOR
SPACECRAFT ATTITUDE CONTROL

: DECISION ON PETITION
: TO WITHDRAW THE
: HOLDING OF ABANDONMENT

This is in reply to applicants' response, taken as a Petition to Withdraw the Holding of Abandonment under 37 CFR 1.181 filed in the United States Patent and Trademark Office on December 8, 2004.

The petition is **DISMISSED**.

A review of the file record indicates that the application was held abandoned for failure to timely file a proper response to the Office action dated January 16, 2003 and a Notice to that effect was mailed on October 16, 2003.

Applicant includes a response filed by facsimile transmission. The copy of the response includes a Certificate of Transmission dated March 24, 2003.

Any petition to withdraw the holding of abandonment based upon a Certificate of Transmission by facsimile must include the following requirements:

- (1) A copy of the original response bearing a signed Certificate of Transmission which includes the date of signing; and .
- (2) A statement under 37 CFR 1.8(b)(3) attesting to the personal knowledge of transmitting the original response on the date indicated on the Certificate of Transmission (see 37 CFR 1.8 and MPEP 512).

While meeting requirement (1) above the petition fails, under requirement (2), to also include a statement under 37 CFR 1.8(b)(3) attesting to the personal knowledge of sending the original response by facsimile transmission on the date indicated on the certificate, by the person who signed the certificate. In the instant case, a personal statement by Linda R. Hickling the certifying official of the facsimile is required.

Any request for reconsideration of this decision must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(b) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition to Withdraw the Holding of Abandonment Under 37 CFR 1.81."



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SNM/jwk: 1/12/05